

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Goddard et al.

Docket No .:

39780-2730P1C31

Serial No.:

09/997,440

Group Art Unit:

1647

Filing Date:

November 15, 2001

Examiner:

Wegert, Sandra L.

For:

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NUCLEIC ACIDS ENCODING THE SAME

EXPRESS MAIL LABEL NO. EL 992 478 814US

Date Mailed: July 5, 2005

PRELIMINARY AMENDMENT

MS: RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

This Preliminary amendment accompanies a Request for Continued Examination (RCE) under 37 CFR § 1.114 for the above identified application. A Notice of Appeal was filed in this case on January 18, 2005; therefore this response timely filed and is accompanied by a Petition for Extension of time for four months with necessary fees. Entry of this amendment and consideration of the following arguments is respectfully requested.

Pending Claims are reflected in the listing of claims that begins on page $\underline{2}$ of this paper. Remarks/Arguments begin on page 5 of this paper.

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